

1 WILLIAM A. ISAACSON (*Pro hac vice*)
(wisaacson@bsfllp.com)
2 STACEY K. GRIGSBY (*Pro hac vice*)
(sgrigsby@bsfllp.com)
3 NICHOLAS A. WIDNELL (*Pro hac vice*)
(nwidnell@bsfllp.com)
4 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, NW, Washington, DC 20005
5 Telephone: (202) 237-2727; Fax: (202) 237-6131

6 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
7 BOIES SCHILLER FLEXNER LLP
300 South Fourth Street, Suite 800, Las Vegas, NV 89101
8 Telephone: (702) 382-7300; Fax: (702) 382-2755

9 DONALD J. CAMPBELL #1216
(djcc@campbellandwilliams.com)
10 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
11 CAMPBELL & WILLIAMS
700 South 7th Street, Las Vegas, NV 89101
12 Telephone: (702) 382-5222; Fax: (702) 382-0540

13 *Attorneys for Defendant Zuffa, LLC, d/b/a*
14 *Ultimate Fighting Championship and UFC*

15 *Additional counsel on signature page*

16 UNITED STATES DISTRICT COURT
17 DISTRICT OF NEVADA
18

19 Cung Le, Nathan Quarry, Jon Fitch,
20 Brandon Vera, Luis Javier Vazquez, and
21 Kyle Kingsbury on behalf of themselves and
all others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
25 Championship and UFC,

26 Defendant.
27
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**[PROPOSED] ORDER GRANTING
JOINT MOTION TO SUPPLEMENT
EXPERT REPORTS**

[PROPOSED] ORDER

Pending before this Court is Plaintiffs Cung Le, Nathan Quarry, Jon Fitch, Brandon Vera, Luis Javier Vazquez, and Kyle Kingsbury (collectively “Plaintiffs”) and Defendant Zuffa, LLC’s (“Zuffa”) (together with Plaintiffs, “the Parties”) Joint Motion to Supplement Expert Reports.

Having considered the Parties Joint Motion, and for good cause shown:

IT IS HEREBY ORDERED THAT the Parties Joint Motion to Supplement Expert Reports is GRANTED.

1. The Parties are permitted to serve the below expert materials and these shall be treated for admissibility purposes as if they had been exchanged during the Court-authorized expert discovery period:

- a. Sur-Rebuttal Expert Report of Prof. Robert H. Topel (dated Feb. 12, 2018) (currently unfiled).
- b. Supplemental Expert Report of Hal. J. Singer, Ph.D. (April 3, 2018) (“SR3”) (Exhibit 49 to the Declaration of Eric L. Cramer, Esq. (April 6, 2018), recorded on the public docket at ECF No. 534-3 (Apr. 6, 2018)).
- c. Declaration of Robert H. Topel, Ph.D. in Support of Zuffa, LLC’s Opposition to Plaintiffs’ Motion for Class Certification (April 6, 2018) (Exhibit 1 to the Declaration of Stacey K. Grigsby (April 6, 2018), recorded on the public docket at ECF No. 540-5 (Apr. 6, 2018)).
- d. A forthcoming response report from Professor Topel for the sole purpose of responding to the Singer Promotion Spend Regression, including through regression analysis to be filed with Zuffa’s reply in support of its motion to exclude Dr. Singer.
- e. A forthcoming response from Dr. Singer that (a) responds to the Topel Declaration, provided that Dr. Singer limits his comments and opinions to a summary of the opinions in his previous reports, (b) briefly responds to the computation reported in the April 6, 2018 Nakamura Declaration (ECF No. 540-3) at para. 14, and (c) responds to the forthcoming Topel response report

1 but does not include any new regressions to be filed with Plaintiffs' reply in
2 support of class certification.

- 3 2. The class certification briefing and exhibits thereto may be considered as part of the
4 record for purposes of the *Daubert* motions, and that the *Daubert* briefing and exhibits
5 thereto may be considered as part of the record for purposes of the Motion for Class
6 Certification.

7
8 IT IS SO ORDERED.

9 DATED: _____

By: _____

10 Hon. Richard F. Boulware
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28